

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA,**

*Plaintiff,*

v.

**CORNERSTONE MEDICAL  
TRANSPORT,**

*Defendant.*

**Case No. 2:19-cv-02328-JDW**

**ORDER**

**AND NOW**, this 27th day of April, 2020, upon consideration of Plaintiff's Motion for Service by Posting Property and Certified Mail (ECF No. 9), the Court hereby finds as follows:

1. Plaintiff United States of America moves for the third time for allowance to serve Defendant Cornerstone Medical Transport by mailing a copy of the summons and the complaint by certified and regular mail and by posting a copy of the summons and the complaint at its last known property address;

2. As the Court noted in its prior Order, Pennsylvania Rule of Civil Procedure 430 permits alternative service only if "service cannot be made under the applicable rule . . . ." Pa. R. Civ. P. 430. The Court also noted that Pennsylvania law permits service on a corporation by serving three categories of people (*see* Pa. R. Civ. P. 424);

3. As it has both times before, the United States reports that it served someone named J.P. Lawson, but it has doubts as to whether Mr. Lawson was authorized to accept service;

4. Although the United States recites as a fact that Mr. Lawson “is not an authorized agent to accept service for Defendant,” the Exhibit that it cites for that proposition is an affidavit of service from a process server; and

5. The Court will not authorize alternative service when the record includes an affidavit of service from a process server, stating under penalty of perjury that the process server served the complaint.

For the foregoing reasons, it is **ORDERED** that the Motion is **DENIED**.

It is **FURTHER ORDERED** that the United States shall file a proof of service in this case on or before May 4, 2020. Failure to comply will result in the Court dismissing the case pursuant to Federal Rule of Civil Procedure 4(m).

**BY THE COURT:**

/s/ Joshua D. Wolson  
JOSHUA D. WOLSON, J